

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES E PASCHAL,

Petitioner,

v.

RON HAYNES,

Respondent.

Case No. C20-5318 BHS-TLF

ORDER GRANTING STAY

In April of 2020, petitioner filed a habeas corpus petition in this court. Dkt. 4. Petitioner now moves to stay petitioner's federal habeas petition pending the outcome of petitioner's "claims still pending in the state courts." Dkt. 5.

This Court has discretion to stay a petition to allow a petitioner to return to state court to present his claims. See *Rhines v. Weber*, 544 U.S. 269, 274-79 (2005). Once petitioner exhausts his state remedies, the federal court will lift the stay and allow the petitioner to proceed on exhausted claims. *Id.*, at 275-76.

Accordingly, the Court **GRANTS** petitioner's motion (Dkt. 5) to stay and abey federal habeas proceedings pending resolution of petitioner's state claims, and

ORDERS:

1. This matter is **stayed and abeyed** until 30 days after petitioner has exhausted his habeas claims before the Washington State Courts.

Theresa L. Frutke

Theresa L. Fricke
United States Magistrate Judge